

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**CARMEN PADILLA and
BRANDON DUVAL CONCEPCION**

Plaintiff,

- against -

**CORA D. AUSTIN, Lindsay Park Housing Board
of Directors; JAY SILVERBERG, Manager,
Zenith Properties Inc.; and MAVIN J. DANIEL,**

Defendants.
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**MEMORANDUM
AND ORDER**

10-CV-4891 (DLI)(RLM)

ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

On November 19, 2010, the Pro Se Clerk's Office received and filed a Second Amended Complaint from *pro se* plaintiff Carmen Padilla. As plaintiff did not have leave of the Court or written consent of defendants to further amend her complaint,¹ the operative pleading in this case is her Amended Complaint, filed on November 15, 2010,² which the United States Marshal's Service was previously ordered to serve on defendants. See Order (Nov. 17, 2010).

SO ORDERED.

**Dated: Brooklyn, New York
November 29, 2010**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**

¹ Under certain circumstances, a party may amend its pleading once as a matter of course, see Fed. R. Civ. P. 15(a)(1); after a pleading has been amended, further amendments require "the opposing party's written consent or the court's leave." Fed. R. Civ. P. 15(a)(2).

² The only "amendment" that the Court could discern is the attachment of additional exhibits.